

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JESSE J. MILLER,

Plaintiff,

-v-

9:14-CV-1351
(DNH/CFH)

DR. SUBBARAO RAMINENI, RN WAYNE
VISALLR, OFFICER WIGGINS, OFFICER
BARKER, JOHN DOE #1-13,

Defendant.

APPEARANCES:

OF COUNSEL:

JESSE J. MILLER
Plaintiff, pro se
12-B-0543
Fishkill Correctional Facility
P.O. Box 1245
Beacon, NY 12508

HON. ERIC T. SCHNEIDERMAN
New York State Attorney General - Albany
Attorneys for Defendant
The Capitol
Albany, NY 12224

NICOLE E. HAIMSON, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Jesse J. Miller brought this civil rights action pursuant to 42 U.S.C. § 1983. On February 29, 2016, the Honorable Christian F. Hummel, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion to dismiss the complaint

for failure to state a claim be granted, and the complaint be dismissed in its entirety. See ECF No. 27. Neither party timely filed objections.

Based upon a de novo review of the Report-Recommendation, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

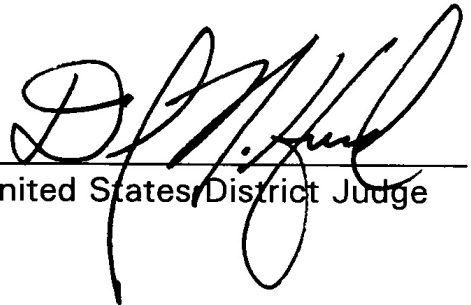
Therefore, it is ORDERED that:

1. Defendant's motion to dismiss is **GRANTED**, and the complaint is **DISMISSED IN ITS ENTIRETY**; and

2. The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

The Clerk of the Court shall enter judgment and close this case.

IT IS SO ORDERED.


United States District Judge

Dated: March 29, 2016
Utica, New York